Court No.2

Second Appeal No. 1364 of 2001.

Ram Lal ……. Appellant/
Plaintiff.

Versus

Kunwar singh & Anr. A No. 1364 of 2001 ……Respondents/
Defendants.

Hon’ble P.C.Verma, J.

A suit for perpetual injection was filed by the plaintiff/appellant seeking permanent injunction to restrain the defendants not to interfere in the use of path which was being used from the time of his ancestors as common path.

On the pleading of parties, a specific issue Was framed and the trial court, while dealing with the aforesaid issue, recorded a finding that it was a path Heard given by the defendants over their own plot. It was a private path but the plaintiff was allowed to use the same. The trial court did not find it tobe a old and ancestral path. The said finding has also been affirmed by the appellate court.

From the perusal of the impugned order, I find that no substantial question arises to be decided in this second appeal. Therefore, the appeal is dismissed.

(P.C.Verma, J.)

15.12.2001
P.Singh